

REMARKS

Based on a previous claim election which has been made without traverse, Applicants' confirm that claims 10-16 are withdrawn from consideration as being directed to a non-elected invention.

In the Office Action, the Office rejected claims 1-9 under 35 U.S.C. § 112, first paragraph, as being not enabled by the specification. Also, claims 2-6, 8 and 9 were rejected under 35 U.S.C. § 112, second paragraph, as being indefinite. This Amendment addresses each of the Examiner's rejections with the amendments to the claims as provided herewith and as discussed below.

The rejections of claims 1-9 pursuant to 35 U.S.C. § 112, first paragraph, have been addressed by means of the amendment to the claims as provided herewith. As the Examiner pointed out in the Office Action, the method of creating an ionized oxygen gas by applying an electrical current in the aqueous solution of metaborate is fully enabled in the specification. Claim 1, therefore, has been appropriately modified as provided herewith. The details of how that electrical current is created need not be included in the broadest claim, however, since the amended claims can no longer be interpreted as encompassing other non-related methods of creating an ionized oxygen gas that are not fully enabled by the specification.

The rejections of claims 2-6, 8 and 9 pursuant to 35 U.S.C. § 112, second paragraph, as being indefinite, have been addressed by means of the amendment to the claims as provided herewith. Favorable action with respect to the amended claims is requested in the Office's next action.

In view of the amendments to the claims as provided herewith, it is believed that this application is now in condition for allowance. Therefore, a prompt Notice of Allowance of claims 1 and 4-9 is respectfully requested in the Office's next action.

Applicants', by and through their counsel, would request that the Office telephone the attorney listed below in the event that a telephone conference could expedite the prompt handling of the present application.

Respectfully submitted,

/Stephen R. Christian/

Dated: 1 August 2007

By:

— Stephen R. Christian
Attorney for Applicants
Reg. No. 32,687
P.O. Box 1625
Idaho Falls, Idaho 83415-3899
(208) 526-9140 phone
(208) 526-8339 fax